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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/183,282 10/30/98 SHAH-NAZAROFF

A 042390.P6489

EXAMINER

TM02/0927

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ART UNIT

PAPER NUMBER

2172

DATE MAILED:

09/27/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.

09/183,282

Applicant(s)

SHAH-NAZAROFF ET AL.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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### DETAILED ACTION

1. Claims 1-27 are presented for examination in this communication of 07/02/01, entered as Appeal Brief, paper no. 12.
2. Applicants' finality of the rejection of the last Office action is hereby withdrawn.
3. Applicants' arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 and 15-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn (US 5,945,987).

With respect to claim 1, obtaining a record corresponding to a first entertainment selection (col. 2, lines 45-64), presenting a first set of entertainment system data in the obtained record corresponding to the first entertainment selection on a display device (col. 3, lines 4-12), presenting a selectable identifier corresponding to the first set of entertainment system data on the display device (col. 2, lines 57-64), performing a search for a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data ... (col. 3, lines 13-25), and presenting a result of the search on the

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display device (col. 3, lines 26-41). Dunn does not explicitly teach, performing a search for a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data when a selectable identifier selected, but it would have been obvious to one having ordinary skill in the art at the time the invention was made, to implement the performance of a search for a second selection corresponding to the first selection in view of Dunn's teachings of a star list first being displayed and a second list of movie titles in which the actor appears being displayed (col. 3, lines 7-10), because it is well known in the art for a user to be able to select the movies, the actor/actress, and the time to have the second selection by the same actor/actress displayed. A user can display program schedule information for any of the selected plurality of television programs in an overlaying relationship with a television program appearing on any one of the selected plurality of channels on the television.

With respect to claim 2, obtaining a record comprises referencing ... the first entertainment selection in a database" (col. 3, lines 20-25).

With respect to claim 3, presenting the selectable identifier comprises generating an distinguishable identifier ... (col. 9, lines 3-20).

With respect to claim 4, performing the search comprising searching a database for the entertainment system data related to the first set of entertainment system data (col. 8, lines 43-67 and col. 9, lines 1-2).

With respect to claim 5, Dunn did not explicitly teach, presenting the result of the search comprises displaying the result of the search in a synopsis box on the display device, but it would

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have been obvious to one having ordinary skill in the art at the time the invention was made to present the result of the search by displaying the search result in a synopsis box on a display device and to modify in Dunn because such a modification would Dunn's entertainment system to display the summary information containing information about a movie synopsis for a program with the title highlighted in the program list. This would reduces the possibility that errors will be introduced when two programs share the same title.

With respect to claim 6, this independent claim is rejected for the similar rationale given for claim 1.

Dunn teaches, a computer-readable medium for storing a sequence of instructions to perform the steps of claim 6 (col. 4, lines 51-62).

With respect to claim 7, this dependent claim is rejected for the similar rationale given for claim 2.

With respect to claim 8, this dependent claim is rejected for the similar rationale given for claim 3.

With respect to claim 9, this dependent claim is rejected for the similar rationale given for claim 4.

With respect to claim 10, this dependent claim is rejected for the similar rationale given for claim 5.

With respect to claim 15, this independent claim is rejected for the similar rationale given for claim 1.

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With respect to claim 16, a search of the records of an entertainment system is data received from different sources (col. 2, lines 45-56).

With respect to claim 17, entertainment selections are selected from a group comprising programs, music selections, software applications, files and Internet broadcasts (col. 2, lines 30-36 and lines 51-64 and col. 5, lines 30-35). Dunn did not explicitly teach, music selections or Internet broadcasts, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have entertainment selections to be selected from a group of music selections and Internet broadcasts and to modify in Dunn because such a modification would provide a user with a convenient way of searching for selections in a category of his /her interests from different sources.

With respect to claim 18, performing the search comprises performing the search in accordance with instructions stored with the first set of entertainment system data to find other entertainment selections (col. 3, lines 13-25, col. 5, lines 43-53, and col. 8, lines 50-67).

With respect to claim 19, the second set of entertainment data is related to the first set of entertainment data in that an item of data corresponding to the same trait is the same for both sets of data (col. 8, lines 60-67 and col. 9, lines 1-9).

With respect to claim 20, this dependent claim is rejected for the similar rationale given for claim 16.

With respect to claim 21, this dependent claim is rejected for the similar rationale given for claim 17.

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With respect to claim 22, this dependent claim is rejected for the similar rationale given for claim 18.

With respect to claim 23, this dependent claim is rejected for the similar rationale given for claim 19.

With respect to claim 24, this dependent claim is rejected for the similar rationale given for claim 20.

With respect to claim 25, the database interface unit searches the database in accordance with instructions that it retrieves from storage with the first set of entertainment system data (col. 3, lines 4-25).

With respect to claim 26, non-selectable text corresponding to entertainment system data of the first entertainment selection (col. 3, lines 20-34 and col. 5, lines 43-53).

With respect to claim 27, the selectable identifier is presented so that it is distinguishable from non-selectable text (col. 8, lines 43-49).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (US 6,157,411), hereafter Williams.

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With respect to claim 11, a data parser that formats entertainment system data ... (col. 5, lines 64-67 and col. 6, lines 1-5 and lines 37-44), a data engine, coupled to the data parser, that stores the entertainment system data into a database ... (col. 6, lines 6-14), and a query interface, coupled to the database configuring a graphical user interface (GUI) with an identifier corresponding to the first set of entertainment system data of a first entertainment selection, the identifier being selectable to display a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data (col. 4, lines 45-67, col. 5, lines 1-3, col. 6, lines 37-67, col. 7, lines 1-35, and fig. 3 (218)). Williams did not explicitly teach an identifier corresponding to the first set of entertainment system data of a first entertainment selection, the identifier being selectable to display a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data, but it would have been obvious to one having ordinary skill in the art of at the time the invention was made to have an identifier corresponding to the first set of entertainment system data of a first entertainment selection, the identifier being selectable to display a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data and to modify in Williams because such a modification would allow a user to display program schedule information for any of the selected plurality of television programs in an overlaying relationship with a television program appearing on any one of the selected plurality of channels on the television.



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With respect to claim 12, a user interface unit that receives an identity of the identifier selected (col. 6, lines 1-44), a database interface unit coupled to the user interface for searching the database for the second entertainment selection having the corresponding second set of entertainment system data related to the first set of entertainment system data (col. 3, 13-25 and col. 6, lines 15-20) and a synopsis box building unit coupled to the database interface unit, for displaying the identity of the second entertainment selection ... (col. 2, lines 37-44 and lines 51-56 and col. 3, lines 14-26). Dunn did not explicitly teach a synopsis box building unit, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a synopsis box and to display an entertainment selection and to modify in Williams because such a modification would allow for the formatting of the displayed record with information about the selection to maximize the volume of data to be displayed and improve the efficiency of the system.

With respect to claim 13, this independent claim is rejected for the similar rationale as given for claim 11.

Williams teaches, a bus (col. 3, lines 52-56), a processor coupled to the bus (col. 10, lines 15-30 and fig. 5 (502 & 512), a system control agent coupled to the bus including a data parser (col. 4, lines 41-44, col. 5, lines 62-67, col. 6, lines 1-9, and fig. 2 (204, 206, 208, & 218).

With respect to claim 14, this dependent claim is rejected for the similar rationale given for claim 12.

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***Conclusion***

8. The prior art made of record and not relied upon is considered relevant to applicant's disclosure.

Graves et al (US 5,410,344) taught selecting audiovisual programs and uniquely identifies a particular program.

Rector, Jr. et al (US 6,209,130) taught collecting program data from television systems, electronic television program guides, and program schedules.

Dodson et al (US 6,184,877) taught a system and method for accessing program information.

Chaney et al (US 6,064,378) taught television program scheduling.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is (703)308-7064. The examiner can normally be reached Monday through Thursday from 6:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu, can be reached on (703)308-4393.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

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(703)746-7238 or (703)746-7239, (for formal communications intended for entry).

**Or:**


(703)746-7239 (for informal or draft communications, please label **“PROPOSED”** or **“DRAFT”**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Virginia., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703)305-3900.

  
E. Colbert

September 20, 2001

  
KIM VU  
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